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24 UNITED STATES DISTRICT COURT
25 CENTRAL DISTRICT OF CALIFORNIA
26 SOUTHERN DIVISION

27 IN RE: TOYOTA MOTOR CORP.
28 UNINTENDED ACCELERATION
MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION

Case No.: 8:10ML2151 JVS (FMOx)

This documents relates to:
ALL ACTIONS

**STATEMENT OF PLAINTIFFS'
CO-LEAD COUNSEL FOR
ECONOMIC LOSS PLAINTIFFS
REGARDING MOTION FOR
LEAVE TO FILE AMENDED
COMPLAINT FOR PLAINTIFFS
MELANIE BERLIEB, ELVIRA
GESELL AND THE CLASS OF
GERMAN PLAINTIFFS
WITHOUT COMPLIANCE WITH
COURT ORDER NO. 4**

Date: Sept. 13, 2010
Time: 3:00 p.m.
Place: Courtroom 10C

1 Plaintiffs' Co-Lead Counsel for Economic Loss Plaintiffs respectfully submit
2 this statement regarding the Motion for Leave to File Amended Complaint for
3 Plaintiffs Melanie Berlieb, Elvira Gesell, and the Class of German Plaintiffs
4 Without Compliance with Court Order No. 4 (Doc. 265).

5 We wish to make two observations regarding this motion.

6 First, by their motion, these two plaintiffs apparently seek to amend the same
7 complaint that other foreign plaintiffs represented by Monica R. Kelly seek to
8 amend through the Master Consolidated Complaint on Behalf of Foreign Plaintiffs
9 (Doc. 266), which is the subject of the Court's Order to Show Cause (Doc. 269).
10 Specifically, both pleadings appear to relate to the amended complaint filed in Case
11 No. 8:10-cv-00738, which was originally brought in the United States District
12 Court for the Northern District of Illinois under Case No. 1:10-cv-01931. *See* Doc.
13 271 at 1–2, ¶1 (Foreign Plaintiffs' OSC Statement); Doc. 265-1 at 1, ¶1 (German
14 Plaintiffs' Motion for Leave). Indeed, these two plaintiffs were named in the
15 amended complaint filed in that action.

16 Second, as these plaintiffs point out in their motion, Co-Lead Counsel did not
17 (and do not) consent to the filing of the motion to file the proposed Amended Class
18 Action Complaint.

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2 Dated: August 23, 2010

Respectfully submitted,

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4 By: /s/ Steve W. Berman

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